

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Deputy Clerk.

F031017 County of Fresno v. Cenci

Cause called and argued by J. Wesley Merritt, Esq., Deputy County Counsel, counsel for appellant and by Richard Cenci, respondent in propria persona.

Cause ordered submitted.

At this point Buckley, J. leaves the bench and is replaced by Harris, J.

F031632 Askew v. Albertsons, Inc., et al.

Cause called and argued by Donald C. Duchow, Esq., counsel for appellant and by Michael J. Stump, Esq., counsel for respondent Albertsons, Inc. and by Gary Logan, Esq., counsel for respondent Colombo Construction Co., Inc. and by Bill J. Kuenzinger, Esq., counsel for respondent Kern Asphalt Paving and Sealing Co.

Cause ordered submitted.

Court recessed until Monday, July 31, 2000 at 10:00 A.M.

F032539 People v. Sauls

The finding that appellant's 1992 assault conviction was a strike is reversed. In all other respects, the judgment is affirmed. The district attorney shall have 30 days after the remittitur is filed in which to give notice of his intent to seek retrial of the prior conviction allegation based on the 1992 assault conviction. If the district attorney gives such notice, the trial court shall conduct further appropriate proceedings. If the district attorney fails to give such notice, no further proceedings are required.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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- F032629 People v. Thompson**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033218 People v. Kelley**
The judgment is affirmed. Vartabedian, Acting P.J.
We concur: Thaxter, J.; Harris, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033615 People v. Boyer**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F030901 People v. Ryback**
The judgment is affirmed. Harris, Acting P.J.
We concur: Vartabedian, J.; Thaxter, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033346 People v. Alfaro**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F030816 People v. Williams, Jr.**
The judgment is affirmed. The trial court shall prepare an amended abstract of judgment to show the correct total of the years imposed for the great bodily injury (Pen Code, Sec. 12022.7) and personal weapon use (Pen. Code Sec. 12022, subd.(b)) enhancements as four rather than three, and shall distribute the amended abstract as appropriate. Dibiaso, Acting P.J.
We concur: Vartabedian, J.; Thaxter, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F033085 People v. Lee

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F035025 People v. Robles

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.